

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

OCT 25 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ASHLEY M. GJOVIK,

Plaintiff - Appellant,

v.

APPLE INC.,

Defendant - Appellee.

No. 24-6058

D.C. No.

3:23-cv-04597-EMC

Northern District of California,  
San Francisco

ORDER

Before: W. FLETCHER, BERZON, and RAWLINSON, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable. *See* 28 U.S.C. § 1291; Fed. R. Civ. P. 54(b); *Chacon v. Babcock*, 640 F.2d 221, 222 (9th Cir. 1981) (order disposing of fewer than all claims against all parties not immediately appealable unless district court directs entry of judgment pursuant to Fed. R. Civ. P. 54(b)); *see also WMX Techs., Inc. v. Miller*, 104 F.3d 1133, 1136 (9th Cir. 1997) (en banc) (dismissal of complaint with leave to amend is not appealable). Consequently, this appeal is dismissed for lack of jurisdiction.

All pending motions are denied as moot.

**DISMISSED.**